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May 10, 2016

To: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: Sachi A. Hamai
Chief Executive Officer

JUNE 7, 2016 PRIMARY ELECTION BALLOT MEASURES

This memorandum is to provide the Board with information about the statewide proposition on the June 7, 2016 Primary Election Ballot. The Board has no position on this measure. The official title of the measure is as follows:

- **Proposition 50:** Suspension of Legislators. Legislative Constitutional Amendment.

Attachment I includes a summary of Proposition 50. Attachment II is a list of all local jurisdiction measures which have qualified for the June ballot.

If you have any questions or require additional information, please have your staff contact Manuel Rivas, Jr. at (213) 974-1464.

SAH:JJ:MR
VE:BF:lm

Attachments

c: Executive Office, Board of Supervisors
County Counsel
All Department Heads
Legislative Strategist

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PROPOSITION 50: SUSPENSION OF CALIFORNIA LEGISLATORS. Legislative Constitutional Amendment. COUNTY POSITION: **NONE**

Proposition 50 would amend the State Constitution to require a two-thirds vote of the Senate and Assembly to suspend a State legislator. In particular, suspending a legislator would require:

- A proposed resolution containing findings and declarations that set forth the basis of the suspension;
- The legislator in question have their legislative rights, privileges, duties, power of their office, and legislative resources revoked while suspended. Further, a provision of the suspension could forfeit the benefits and salary of the legislator; and
- A two-thirds vote to end the suspension, unless a suspension termination date is included in the original suspension vote.

Background: On March 28, 2014, the Senate approved SR 38 (Steinberg) which suspended three members, Senator Ronald Calderon, Senator Roderick Wright, and Senator Leland Yee, until pending criminal proceedings against them were dismissed.

Legislative Counsel confirmed the Senate's authority to suspend a senator so long as the suspension is fixed and is necessary to preserve the honor, dignity, and efficiency of the Senate. However, Legislative Counsel's opinion stated that the Senate may not suspend the salary or benefits of a senator for the duration of the suspension given the Constitution authorizes the California Citizens Compensation Commission with the responsibility to establish the annual salary and benefits of members of the Legislature.

Proposition 50, SCA 17 (Resolution Chapter 127, Statutes of 2014), would give the Legislature the authority to withdraw privileges, fine, imprison, reprimand, censure, suspend, and expel a member of the Legislature. Although the power to judge members is available to all legislative bodies, many chambers do not specify the procedures to investigate charges of misconduct or specify the actual reasons for which a lawmaker may be disciplined.

Legislative Analyst's Office Report: The Legislative Analyst's Office (LAO) indicates that Proposition 50 amends the State Constitution to add new provisions regarding the suspension of legislators. The provisions address the following issues:

- Higher Vote Requirement to Suspend Legislators. Currently, the Assembly or Senate can suspend one of its members with a majority vote. This measure

requires a two-thirds vote of the Assembly or Senate in order to suspend one of its members.

- **Allows Suspending Legislators Without Pay and Benefits.** Currently, a suspended legislator keeps receiving a State salary and benefits. This measure allows the Assembly or Senate to stop a legislator's pay and benefits during all or part of a suspension.
- **Other Requirements for Suspending Legislators.** This measure also: 1) prohibits a suspended legislator from voting on laws or taking other actions as a legislator during a suspension; 2) requires the house to describe the reasons for a suspension; and 3) sets rules for when a suspension would end (either on a specific date set by the Assembly or Senate or after two-thirds of the Assembly or Senate votes to end the suspension).

County Fiscal Impact: NONE

Affected Departments: NONE

Support and Opposition: Proposition 50 is supported by the League of Women Voters California and California Forward. It is opposed by Senator Joel Anderson.

**LOCAL JURISDICTION MEASURES APPEARING ON THE
JUNE 7, 2016 ELECTION BALLOT**

CARSON CITY

Measure C – Shall Ordinance 16-1580, which extends the existing 2% Utility Users Tax on electricity & gas to June 30, 2023 to raise approximately \$8.5 million annually, to continue basic and essential services for residents, including but not limited to, law enforcement, gang intervention programs, graffiti removal, youth and senior programs, sidewalk and street repair, City special events, and public parks staffing, while exempting senior and low-income households, be adopted?

COMPTON CITY

Measure P – To repair local streets/sidewalks; retain/hire firefighters/paramedics; increase sheriff's staffing to improve response times; expand gang/drug prevention, economic development and youth job training programs; improve parks; and provide other general fund services in Compton, shall an ordinance be adopted to increase the sales tax by one percent on an ongoing basis to raise approximately \$7 million in local annual funding, requiring citizens' oversight?

GLENDALE CITY

Measure N – Shall the City's longstanding utility users tax be repealed, eliminating approximately 9.5% of the revenues in the City's general fund annually (\$17.5 million this year) that is used to pay for city services such as police, fire, 9-1-1 emergency response, libraries, parks and senior services?

HERMOSA BEACH CITY SCHOOL DISTRICT

Measure S – To reduce student overcrowding and make safety, security, and health improvements; construct, renovate, modernize and equip classrooms and facilities at North, Valley and View Schools; replace or repair roofs; provide technology improvements for students; and upgrade or replace outdated electrical, plumbing, heating and air conditioning systems, shall Hermosa Beach City School District issue \$59,000,000 of bonds at legal interest rates, and have an independent citizens' oversight committee with no money for administrative salaries or taken by the state?

LONG BEACH CITY

Measure A – To maintain 911 emergency response services; increase police, firefighter/paramedic staffing; repair potholes/streets; improve water supplies; and maintain general services; shall the City of Long Beach establish a one cent (1%) transactions and use (sales) tax for six years, generating approximately \$48 million

annually, declining to one-half cent for four years and then ending, requiring a citizens' advisory committee and independent audits, with all funds remaining in Long Beach?

Measure B – To help maintain city services, such as police, firefighter, paramedic, park, library, street repair and community programs, during economic recessions that cause temporary budget shortfalls, shall the City of Long Beach establish a budget stabilization ("rainy day") fund as part of the General Fund to provide short-term funding for such general services into which one percent of any new general tax revenues shall be deposited and spent only to balance the budget?

LONG BEACH COMMUNITY COLLEGE DISTRICT

Measure LB – To prepare students/veterans for jobs/universities by: building/upgrading classrooms/laboratories, for health services, small businesses, police, firefighting, technology/other careers; improving deteriorating gas/electrical/sewer lines/leaky roofs, earthquake safety, security and repairing/constructing/acquiring facilities, fields and equipment, shall Long Beach Community College District issue \$850,000,000 in bonds at legal rates, requiring citizens' oversight, independent audits, no money for administrators' salaries/pensions, with funds used locally?

MONTEBELLO CITY

Measure W – Shall the City of Montebello sell the Montebello Water System to San Gabriel Valley Water Company to create additional City revenues for essential services?

MONTEBELLO UNIFIED SCHOOL DISTRICT

Measure GS – To repair/upgrade neighborhood schools and improve education for each student by: upgrading computer/science labs, libraries, career/vocational education programs; fixing leaky roofs, bathrooms, drinking fountains, plumbing, wiring, improving earthquake safety standards/fires safety/school security; and repairing/constructing/acquiring facilities, sites/equipment; shall Montebello Unified School District issue \$300 million in bonds at legal rates, requiring audits, citizens' oversight, no money for administrators' salaries/pensions, and funds used locally?

POMONA CITY

Measure Y – Shall the Pomona zoning ordinance be amended to authorize the installation of outdoor advertising signs within specific freeway adjacent corridors and to impose planning regulations and restrictions concerning the number and location of the outdoor advertising signs, and to establish development fees to be paid to the City of Pomona in an amount of \$1 million for each billboard installed?

REDONDO BEACH CITY

Measure K – Shall the City approve amendments to the City Charter, General Plan, Coastal Land Use Plan, and Coastal Zoning Ordinance to conditionally allow residential care facilities for the elderly in the P-CF zoning district on properties over one acre in the Coastal Zone pursuant to a request from the School District to rezone surplus school property?

SANTA CLARITA COMMUNITY COLLEGE DISTRICT

Measure E – To upgrade College of the Canyons' classrooms, labs/technology to prepare students for four-year college/jobs in science, aerospace, teaching, nursing/manufacturing, accommodate growing student enrollment, expand veterans' services/public safety training, upgrade accessibility, enhance parking, improve earthquake safety/qualify for State matching funds, and construct, acquire, repair classrooms, sites, facilities/equipment, shall Santa Clarita Community College District issue \$230,000,000 in bonds at legal rates, with independent citizen oversight, mandatory audits, no funds for administrators' salaries and all funds staying local?